



Docket No. 1919/66766-Y-PCT-US/JPW/GJG/ACK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Francis G. Fang and Shiping Xie  
Serial No.: 09/903,101 Examiner: S. Wright  
Filed : July 11, 2001 Group Art Unit: 1626  
For : METHOD FOR PREPARING CAMPTOTHECIN DERIVATIVES

1185 Avenue of the Americas  
New York, New York 10036

Mail Stop Terminal Disclaimer  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Petitioner, OSI Pharmaceuticals, Inc., having a place of business at 58 South Service Road, Melville, New York 11747, the assignee of record of rights, title and interest in the above-identified application by virtue of an assignment from Gilead Sciences, Inc., a copy of which is attached as **Exhibit 1** and which was recorded with the United States Patent and Trademark Office on July 8, 2002, at Reel 013067, Frames 0233-0237, which was an assignee by virtue of an assignment from Glaxo Wellcome Inc., a copy of which is attached as **Exhibit 2** and which was recorded by the United States Patent and Trademark Office on July 30, 2001 at Reel 012036, Frames 0230-0236, which in turn was an assignee by virtue of an assignment from the inventors of the subject application, namely Francis Gerard Fang and Shiping Xie, a copy of which is attached as **Exhibit 3** and which was recorded by the United States Patent and Trademark Office on November 2, 1995 at Reel 7730, Frames 0125-0126, hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on the subject application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of commonly assigned U.S. Patent No.

05/28/2003 SLUANG1 00000008 09903101

02 FC:1814

110.00 OP

Applicants: Francis G. Fang and Shiping Xie  
Serial No.: 09/903,101  
Filed : July 11, 2001  
Page 2

6,143,891. Petitioner hereby agrees that any patent granted on the subject application shall be enforceable only for and during such period that such patent and U.S. Patent No. 6,143,891 is commonly owned, such agreement to run with any patent granted on the subject application and to be binding upon the grantee, its successors and assigns.

In making the above disclaimer, petitioner does not disclaim the terminal portion of any patent granted on the subject application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,143,891 in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

I certify that I have reviewed the above-identified assignments, a copy of which is attached hereto as **Exhibit 1, Exhibit 2 and Exhibit 3**, and that, to the best of my knowledge and belief, OSI Pharmaceuticals, Inc., has the rights, title and interest in the subject application. I further certify that I am authorized to sign this Terminal Disclaimer on behalf of OSI Pharmaceuticals, Inc., as indicated.

Applicants: Francis G. Fang and Shiping Xie  
Serial No.: 09/903,101  
Filed : July 11, 2001  
Page 3

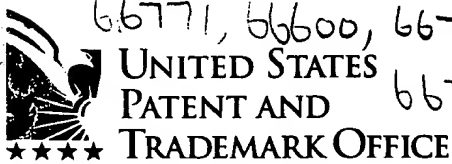
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

OSI Pharmaceuticals, Inc.

Date: May 19, 2003

By: Arthur M. Bruskin

Arthur M. Bruskin, Ph.D.  
Vice President, Strategic  
Planning



66771, 66600, 66766, 66767,  
66772  
UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



OPW

SEPTEMBER 10, 2002

COOPER & DUNHAM LLP  
JOHN P. WHITE  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

SEP 17 2002  
AP



\*102151618A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/08/2002

REEL/FRAME: 013067/0233  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GILEAD SCIENCES, INC.

DOC DATE: 12/21/2001

ASSIGNEE:

OSI PHARMACEUTICALS, INC.  
58 SOUTH SERVICE ROAD  
MELVILLE, NEW YORK 11747

SERIAL NUMBER: 09486309  
PATENT NUMBER:

FILING DATE: 02/24/2000  
ISSUE DATE:

SERIAL NUMBER: 09875713  
PATENT NUMBER:

FILING DATE: 06/06/2001  
ISSUE DATE:

SERIAL NUMBER: 09903101  
PATENT NUMBER:

FILING DATE: 07/11/2001  
ISSUE DATE:

SERIAL NUMBER: 09552214  
PATENT NUMBER:

FILING DATE: 04/19/2000  
ISSUE DATE:

SERIAL NUMBER: 08258136  
PATENT NUMBER: 5559235

FILING DATE: 06/10/1994  
ISSUE DATE: 09/24/1996

SERIAL NUMBER: 09068185  
PATENT NUMBER: 6143891

FILING DATE: 05/14/1998  
ISSUE DATE: 11/07/2000

SERIAL NUMBER: 09638945  
PATENT NUMBER: 6284891

FILING DATE: 08/15/2000  
ISSUE DATE: 09/04/2001

SERIAL NUMBER: 08237081  
PATENT NUMBER: 5491237

FILING DATE: 05/03/1994  
ISSUE DATE: 02/13/1996

SERIAL NUMBER: 08737032  
PATENT NUMBER: 6063923

FILING DATE: 11/01/1996  
ISSUE DATE: 05/16/2000

SERIAL NUMBER: 08258136  
PATENT NUMBER: 5559235

FILING DATE: 06/10/1994  
ISSUE DATE: 09/24/1996

SERIAL NUMBER: 09068185  
PATENT NUMBER: 6143891

FILING DATE: 05/14/1998  
ISSUE DATE: 11/07/2000

SERIAL NUMBER: 09638945  
PATENT NUMBER: 6284891

FILING DATE: 08/15/2000  
ISSUE DATE: 09/04/2001

SERIAL NUMBER: 08237081  
PATENT NUMBER: 5491237

FILING DATE: 05/03/1994  
ISSUE DATE: 02/13/1996

SERIAL NUMBER: 08737032  
PATENT NUMBER: 6063923

FILING DATE: 11/01/1996  
ISSUE DATE: 05/16/2000

SERIAL NUMBER:  
PATENT NUMBER:  
PCT NUMBER: US0118224

FILING DATE:  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07-12-2002

Docket No. 66767, 66772/JPW/GJG/JBC

FORM PTO-1595 (Substitute)

(Rev. 8-96)



U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Pat.

102151618

original documents or copy thereof.

1. Name of conveying party(ies):

Gilead Sciences, Inc.

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

MRPOF-08/02

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date(s): December 21, 2001

2. Name and address of receiving party(ies):

Name: OSI Pharmaceuticals, Inc.

Internal Address:

Street Address: 58 South Service Road

City/State/Zip: Melville, NY 11747

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are):

A. Patent Application No.(s)

09/486,309 Filed February 24, 2000

09/875,713 Filed June 6, 2001

B. Patent No.(s)

5,559,235 Issued September 24, 1996

6,143,891 Issued November 7, 2000

Additional numbers attached?

☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White

Internal Address: Cooper &amp; Dunham LLP

Street Address: 1185 Avenue of the Americas

City/State/Zip: New York, New York 10036

6. Total number of applications and patents involved: 15

7. Total fee (37 CFR §3.41): ..... \$ 600.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

07/11/2002 GTOW11 00000150 033125 09486309

01 FC:581 600.00 CH

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gary J. Gershik

Name of Person Signing

Signature

July 3, 2002

Date

Reg. No. 39,992

Total Number of pages including cover sheet, attachments and document: 5

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Gary J. Gershik  
Reg. No. 39,992

Date

7/3/02

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

OFFICE OF PUBLIC RECORDS  
2002 JUL -8 AM 8:36  
FINANCE SECTION

PAGE 2

Continuation of Box No. 4:

Patent Application No.(s)

Filing Dates

09/903,101  
09/552,214  
PCT/US01/18224  
08/258,136  
09/068,185  
09/638,945  
08/237,081  
08/737,032

July 11, 2001  
April 19, 2000  
June 8, 2001  
June 10, 1994  
May 14, 1998  
August 15, 2000  
May 3, 1994  
November 1, 1996

Patent No.(s)

Issue Dates

6,284,891  
5,491,237  
6,063,923

September 4, 2001  
February 13, 1996  
May 16, 2000

## PATENT ASSIGNMENT AGREEMENT

THIS PATENT ASSIGNMENT AGREEMENT is being entered into by GILEAD SCIENCES, INC., a Delaware corporation having a place of business at 333 Lakeside Drive, Foster City, CA 94404 ("Assignor"), to assign ownership of certain patents and patent applications to OSI PHARMACEUTICALS, INC., a Delaware corporation having a place of business at 58 South Service Road, Melville, New York 11747 ("Assignee"):

WHEREAS Assignor is an owner of the letters patent and patent applications listed on Attachment A (collectively, the "Patents"); and

WHEREAS Assignor has agreed with Assignee for the transfer to it all of Assignor's right, title and interest in and to said Patents, and the inventions therein.

NOW THEREFORE, in pursuance of the said agreement and in consideration of the sum of One U.S. Dollar (\$1.00) paid by Assignee to Assignor (the receipt of which Assignor hereby acknowledges), Assignor hereby assigns and transfers to Assignee Assignor's right, title and interest in said inventions and said Patents, and any and all letters patent or patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said Patents, or reissues, renewals, revivals, reexaminations or extensions of said Patents, and all rights under all applicable intellectual property treaties and conventions, and the full benefits thereof, and all rights, privileges and advantages appertaining thereto, including any and all rights of Assignor to damages, profits or recoveries of any nature for past infringement of said Patents, and the payment of any and all maintenance fees, taxes, and the like, TO HOLD the same unto and to the use of Assignee, its successors and assigns during the residue of the respective terms for which the said Patents were or will be granted and during any such terms, and for any and all rights extending from said divisions, continuations, continuations-in-part, reissues, renewals, revivals, reexaminations and extensions.

AND for the same consideration, Assignor hereby covenants and agrees to and with Assignee, its successors, legal representatives and assigns that Assignor will, at the cost and expense of the Assignee, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the recordation of this assignment of the Patents to Assignee.

AND Assignor hereby requests the Commissioner of Patents to issue, to Assignee, any and all Letters Patent of the United States arising from such Patents for the use and behalf of the Assignee, its successors, legal representatives, and assigns.

Executed at Foster City, CA this 21st day of December 2001

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Mark L. Perry

Executive Vice President, Operations



ATTACHMENT A

U.S. Filing Date	For Filing Date	Serial No.	Patent No.	Issue Date
	9/15/98	PCT-US98/19086 (WO99/13816)		
	9/15/98	AU-93877/98		
	9/15/98	BR-PI9812316-5		
	9/15/98	CA-2303366		
	9/15/98	EP-98946983.8		
	9/15/98	JP-2000-511445		
	9/15/98	KR-2000-7002701		
	9/15/98	NZ-503293		
	9/15/98	SG-200001483-7		
2/24/00		09/486,309		
6/6/01		09/875,713		
	6/6/01	PCT-US01/18224		
	6/8/01	TW-90113942		
6/10/94		08/258,136	5,559,235	9/24/96
	10/28/92	AR-323.527	250704	6/18/97
	4/20/95	AR.D-331.763	251993	5/29/98
	10/28/92	AU-27385/92	657007	6/9/95
	10/28/92	CA-2081580		
	10/28/92	CL-1215.92	40347	1/31/00
	1/2/93	CN-93100379.2	37857	7/25/97
	10/27/92	CZ-PV 3237-92	284023	5/29/98
	10/23/92	EP-92203263.6	540099	4/17/96
	10/28/92	FI-924878	104373	1/14/00
	10/8/98	FI.D-982185		
	10/28/92	HU-P9203384	217970	3/20/00
	7/1/94	HUP-P/P00203	211349	10/26/95
	10/28/92	ID-P004919	ID0002140	11/10/97
	10/28/92	IL-103571	103571	4/5/98
	10/28/92	IS-3936	1708	12/16/98
	10/28/92	JP-312862/92	3020760	1/14/00
	11/2/99	JP.D-312940/99	3229298	9/7/01
	10/28/92	KR-92-19884	246154	12/3/99
	10/28/92	MX-926211	184891	6/6/97
	10/28/92	NZ-244914	244914	5/1/95
	10/28/92	NO-92.4158	302073	1/19/98
	10/28/92	MY-PI9201954	MYJ08261	9/30/96
	10/28/92	PH-45179	31882	4/2/99
	4/26/93	PL2-298705	173684	9/30/97
	10/28/92	RU-92004336	2119921	10/10/98
	4/7/93	SI-P9300183	9300183	1/11/95

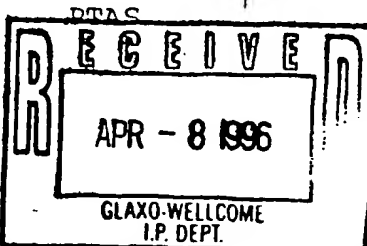
U.S. Filing Date	For. Filing Date	Serial No.	Patent No.	Issue Date
	10/27/92	SK-PV3237-92	279298	6/18/98
	10/27/92	TW-81108539	NI-65475	7/12/94
	10/28/92	TH-017232	10228	3/16/01
	10/28/92	ZA-92/8324	92/8324	6/30/93
	11/1/96	PCT-US96/17574		
	11/1/96	AU-76038/96	717315	7/6/00
	11/1/96	CA-2,236,420		
	11/1/96	CZ-PV1998-1338		
	11/1/96	EA-9800354/26	1400	11/16/00
	11/1/96	EP-96938728.1		
	11/1/96	HU-P9802407		
	11/1/96	IL-124287		
	11/1/96	IS-4730		
	11/1/96	JP-517588/1997		
	11/1/96	NZ-322318	322318	5/12/00
	11/1/96	NO-981970		
	11/1/96	PL-P326869		
5/14/98		09/068,185	6,143,891	11/7/00
8/15/00		09/638,945	6,284,891	9/4/01
7/11/01		09/903,101		
5/3/94		08/237,081	5,491,237	2/13/96
	5/2/95	PCT-US95/05425 (WO95/29917)		
	5/2/95	EP-95917217.2		
	5/2/95	JP-528481/95		
5/3/94		08/237,081	5,491,237	2/13/96
	5/2/95	PCT-US95/05427		
	5/3/95	AR-331917		
	8/5/99	AR.D-P99010389		
	5/2/95	EP-95918904.4		
	5/2/95	JP-528482/95		
11/1/96		08/737,032	6,063,923	5/16/00
4/19/00		09/552,214		



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 30, 1996

KAREN L. PRUS  
GLAXO WELLCOME INC.  
LEGAL-PATENT GROUP  
FIVE MOORE DRIVE  
RTP, NC 27709



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 11/02/1995

REEL/FRAME: 7730/0125

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FANG, FRANCIS G.

DOC DATE: 11/02/1995

ASSIGNOR:

XIE, SHIPING

DOC DATE: 11/02/1995

ASSIGNEE:

GLAXO WELLCOME INC.  
FIVE MOORE DRIVE  
INTELLETUAL PROPERTY GROUP  
RESEARCH TRIANGLE PARK  
NORTH CAROLINA  
27709

SERIAL NUMBER: 60006138

FILING DATE: 11/02/1995

PATENT NUMBER:

ISSUE DATE:

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• 7730/0125 PAGE 2

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

12-19-1995

OF COMMERCE  
Trademark OfficeRECORDATION F  
PATENT

100106318

is or copy thereof.

To the Honorable Commissioner of Patents and Trademarks: Please record the attached

1. Name of conveying party(ies) Karen L. Prus 11-2-95

Francis G. Fang and Shiping Xie

Additional name(s) of conveying party(ies) attached? No

3. Nature of conveyance:

☒ Assignments

Merger

Security Agreement

Change of Name

Other \_\_\_\_\_

Execution Date: 11/2/95 66080 U.S. PTO



12/19/95

2. Name and address of receiving party(ies):

Name: **Glaxo Wellcome Inc.**Internal Address: **Intellectual Property  
Group**Street Address: **Five Moore Drive**City: **Research Triangle Park** State: **NC**Country: **USA** Zip: **27709**

Additional name(s) &amp; address(es) attached?

Yes  
No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 11/2/95

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?

Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Karen L. Prus**  
Internal Address: **Glaxo Wellcome Inc.  
Legal-Patent Group**Street Address: **Five Moore Drive**City: **RTP** State: **NC** Zip: **27709**6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41):.....\$ **40.00**

Enclosed

☒ Authorized to be charged to deposit account.  
Previously Submitted8. Deposit account number: **07-1392**

(Attach copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Karen L. PrusKaren L. Prus2 November 1995

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 1

BA28072 12/12/95 60006138

07-1392 280 581

40.00CH

G2129

# ASSIGNMENT

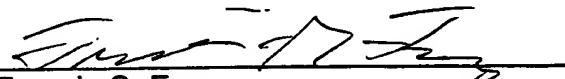
We, Francis G. Fang and Shiping Xie, for good and valuable consideration, receipt of which is hereby acknowledged, from GLAXO WELLCOME INC., a North Carolina corporation having its principal place of business in Research Triangle Park, NC, hereinafter called the Assignee, do hereby sell, assign and transfer unto the Assignee, its successors and assigns, the entire right, title and interest in, to and under a provisional application as filed by us on even date for:

## METHOD FOR PREPARING CAMPTOTHECIN DERIVATIVES


and the inventions and any of them therein set forth and described, and any and all Letters patent of the United States and of countries foreign thereto which may be granted thereon or therefor including any continuation, division, renewal, substitute, reissue or extension thereof or any legal equivalent thereof.

For the above consideration, I agree promptly upon request of the Assignee, its successors or assigns, to execute and deliver without further compensation any power of attorney, continuation or reissue, or other papers which may be necessary or desirable fully to secure to the Assignee, its successors and assigns, the inventions and any of them described in said application and all patent rights therein, in the United States and in any country foreign thereto.

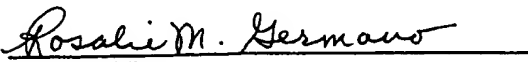
IN WITNESS WHERETO, we, Francis G. Fang and Shiping Xie, hereunto set my hand and seal this 2 day of November, 1995.

  
Francis G. Fang

State of North Carolina  
County of Durham

  
Shiping Xie

Before me this 2 day of November, 1995,  
personally appeared, Francis G. Fang and Shiping  
Xie who is to me personally known, and  
acknowledged the foregoing instrument of assignment  
to be his free act and deed.

  
Notary Public  
My commission expires Aug 2, 1998



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 09, 2001

GILEAD SCIENCES, INC.  
333 LAKESIDE DRIVE  
FOSTER CITY, CA 94404

PTAS

FEB 12 2002



\*101810328A\*

received

MA For GPN 7 B58  
SML

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320. WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/30/2001

REEL/FRAME: 012036/0230  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GLAXO WELLCOME INC. ✓

DOC DATE: 11/16/2000 ✓

ASSIGNEE:

GILEAD SCIENCES, INC. ✓  
333 LAKESIDE DRIVE  
FOSTER CITY, CALIFORNIA 94404

SERIAL NUMBER: 09638945 ✓ 66766-AZ-PCT-US FILING DATE: 08/15/2000 ✓  
PATENT NUMBER: 6284891 ✓ ISSUE DATE: 09/04/2001 ✓

SERIAL NUMBER: 09552214 ✓ 66767-BA-PCT-US FILING DATE: 04/19/2000 ✓  
PATENT NUMBER: ISSUE DATE:

SERIAL NUMBER: 08258136 FILING DATE: 06/10/1994 ✓  
PATENT NUMBER: 5559235 ISSUE DATE: 09/24/1996 ✓

SERIAL NUMBER: 09068185 ✓ 66766-PCT-US FILING DATE: 05/14/1998 ✓  
PATENT NUMBER: 6143891 ✓ ISSUE DATE: 11/07/2000 ✓

SERIAL NUMBER: 08237081 ✓ 66767  
PATENT NUMBER: 5491237 ✓

FILING DATE: 05/03/1994 ✓  
ISSUE DATE: 02/13/1996 ✓

SERIAL NUMBER: 08737032 ✓ 66767-B-PCT-05  
PATENT NUMBER: 6063923 ✓

FILING DATE: 11/01/1996 ✓  
ISSUE DATE: 05/16/2000 ✓

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



08-13-2001

RE(



COVER SHEET

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7-3001

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 7-3001

GLAXO WELLCOME INC.  
Five Moore Drive  
P.O. Box 13398  
Research Triangle Park, NC 27709-3398Additional name(s) of conveying party(ies) attached? \_\_\_ Yes X No

3. Nature of conveyance:

- ☒ Assignment                      o Merger  
o Security Agreement              o Change of Name  
o Other \_\_\_\_\_

Execution Date: November 16, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)  
09/638,945 - filed 8/15/00  
09/552,214 - filed 4/19/00B. Patent No.(s)  
5,559,235 - issued 9/24/96  
6,143,891 - issued 11/7/00  
5,491,237 - issued 2/13/96  
6,063,923 - issued 5/16/00

Additional numbers attached?

\_\_\_ Yes X No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: GILEAD SCIENCES, INC.

Internal Address: \_\_\_\_\_

Street Address: 333 Lakeside DriveCity: Foster City State: CA ZIP: 944046. Total number of applications and patents involved: 67. Total fee (37 CFR 3.41): \$ 240.00☒ Authorized to be charged to deposit account

8. Deposit account number:

07-1250

(Attach duplicate copy of this page if paying by deposit account)

/10/2001 RAHMED1 00000134 071250 09638945

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FC:581 240.00 CH

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Max D. Hensley, Reg. No. 27,043

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: \_\_\_\_\_

## ASSIGNMENT

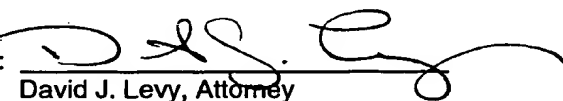
For good and valuable consideration, the receipt of which is hereby acknowledged, **GLAXO WELLCOME INC.**, a North Carolina corporation ("GWI"), having a chief executive office is located at Five Moore Drive, PO Box 13398, Research Triangle Park, North Carolina 27709-3398, USA, **GLAXO GROUP LIMITED**, a corporation organized under the laws of England ("GGL", and, collectively with GWI, "Glaxo"), having an address of Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, United Kingdom, (hereinafter called "**ASSIGNOR**"), by these presents does sell, assign and transfer jointly to **GILEAD SCIENCES, INC.**, whose chief executive office is located at 333 Lakeside Drive, Foster City, California 94404 (hereinafter called "**ASSIGNEE**"), the entire right, title and interest of **ASSIGNOR**, in and to the patents and patent applications contained in Schedule 1 attached hereto, and including any actions, claims and demands whatsoever, known or unknown, that **ASSIGNOR** may have had thereunder prior to the date of this Assignment, the same to be held and enjoyed by **ASSIGNEE** for its own use and benefit and for its successors, assigns, and legal representatives, to the full end of the term for which each of said patents are granted, as fully and entirely as the same would have been held by **ASSIGNOR** had this Assignment not been made.

IN WITNESS WHEREOF, **ASSIGNOR** has caused this Assignment to be executed this 16<sup>th</sup> day of November 2000.

GLAXO WELLCOME, INC.

By:   
David J. Levy, Vice-President

GLAXO GROUP LIMITED

By:   
David J. Levy, Attorney  
(Resolution attached)

State of North Carolina  
Durham County

I, Allyson K. Jacobs, a Notary Public for said County and State, do hereby certify that DAVID J. LEVY personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 16<sup>th</sup> day of November, 2000.

  
NOTARY PUBLIC

My commission expires: 05-30-05

**Case AC155**

Aripo patent No. AP306 – Gone National

Argentinean Patent 250704

Argentinean Patent 251993

Austrian Patent (EP) 0540099

Australian Patent 657007

Belgian Patent (EP) 0540099

Botswana Patent (ARIPO) AP306

Canadian Patent Application 2081580

Swiss Patent (EP) 0540099

Chilean Patent 40.347

Chinese Patent 37857

Colombian Patent 25310

Czech Republic Patent 284023

German Patent (EP) 540099

Danish Patent (EP) 0540099

European Patent 0540099 – Gone National

Spanish Patent (EP) 2086643

Finnish Patent 104373

Finnish Patent Application 982185

French Patent (EP) 0540099

United Kingdom Patent (EP) 0540099

Ghanaian Patent (ARIPO) AP306

Gambian Patent (ARIPO) AP306

Greek Patent (EP) 0540099  
Hungarian Patent 217.970  
Hungarian Patent 211349  
Indonesian Patent ID0002140  
Irish Patent (EP) E67979  
Israeli Patent 103571  
Icelandic Patent 1708  
Italian Patent (EP) 540099  
Japanese Patent 3020760  
Japanese Patent Application 312940.99  
Kenyan Patent (ARIPO) AP306  
South Korean Patent 246154  
Lesotho Patent (ARIPO) AP306  
Luxembourg Patent (EP) 0540099  
Monaco Patent (EP) 0540099  
Malawi Patent (ARIPO) AP306  
Mexican Patent 184891  
Malaysian Patent MY-108261-A  
Nigerian Patent RP11912  
Netherlands Patent (EP) 0540099  
Norwegian Patent 302.073  
New Zealand Patent 244914  
Philippines Patent 31882  
Pakistani Patent 133449  
Polish Patent Application P296380

Polish Patent 173684  
Portuguese Patent (EP) 0540099  
Russian Federation Patent 2119921  
Sudan Patent (ARIPO) AP306  
Swedish Patent (EP) 0540099  
Slovenian Patent 9300183  
Slovakian Patent 279298  
Swaziland Patent AP306  
Thai Patent Application 017232  
Taiwanese Patent NI65475  
Ukrainian Patent Application 93002880  
Ugandan Patent (ARIPO) AP306  
US patent application No. 07.784275 - ABANDONED  
US patent application No. 07.826729 - ABANDONED  
US patent application No. 07.960192 - ABANDONED  
US patent application No. 08.113968 - ABANDONED  
US patent application No. 08.475711 - ABANDONED  
US patent application No. 08.471899 - ABANDONED  
US patent application No. 08.475384 - ABANDONED  
US patent application No. 08.479122 - ABANDONED  
US patent application No. 08.488544 - ABANDONED  
US patent 5,559,235  
South African Patent 92.8324  
Zambian Patent AP306  
Zimbabwean Patent AP306

**Case G12129**

Australian patent No. 717315

Canadian patent application No. 2236420

Czech Republic patent application No. PV1338.98

Eurasian patent application No. EA199800354.26

European patent application No. 96938728.1

(designates AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE)

Hungarian patent application No. P9802407

Israel patent application No. 124287

Iceland patent application No. 4730

Japanese patent application No. 517588/97

Norwegian patent application No. 98.1970

New Zealand patent No. 322318

Polish patent application No. P.326869

US patent application No. 60.006138 – ABANDONED

US patent application No. 09.638945

US patent No. 6,143,891

**Case G1066**

European patent application No. 95917217.2

(designates AT, BE, CH, DE, DK, ES, FR, GB, GR, IT, LT, LU, LV, MC, NL, PT, SE, SL)

Japanese patent application No. 528481.95

US patent No. 5491237

**Case G1066A**

Argentinian patent application No. 331917

Argentinian patent application No. P990103897

European patent application No. 95918904.4

(Designates AT, BE, CH, DE, DK, ES, GB, GR, IT, LT, LU, LV, MC, NL, PT, SE, SL)

Japanese patent application No. 528482.95

US patent application No. 09.552214

US patent No. 6063923